

**MOTOROLA****FAX TRANSMITTAL SHEET****RECEIVED  
CENTRAL FAX CENTER****FEB 23 2004****OFFICIAL**

Motorola, Inc.  
Intellectual Property Section  
Law Department  
600 North U.S. Highway 45  
Libertyville, IL 60048

Telephone: (847) 523-2585  
Facsimile: (847) 523-2350

**9**

Number of Pages (including this page)

Date: 2/23/04

To: Commissioner for Patents

Location: United States Patent and Trademark Office

Fax No.: 703 872-9306

From: Matthew C. Loppnow

Registration No. 45,314

Subject: Serial No. 10/692,196

Docket No. CS23157RA

**NOTICE:** This facsimile transmission may contain information that is confidential, privileged, or exempt from disclosure under applicable law. It is intended only for the person to whom it is addressed. Unauthorized use, disclosure, copying or distribution may expose you to legal liability. If you have received this transmission in error, please immediately notify us by telephone (collect) to arrange for return of the documents received and any copies made. Thank you.

**MESSAGE:**

Enclosed herewith, please find:

- ☒ Response to Notice to File Missing Parts
- ☒ Transmittal Form
- ☒ Fee Transmittal Form
- ☒ Declaration Combined with Power of Attorney (3 pages)
- ☒ Copy of Notice to File Missing Parts

**PLEASE GIVE THESE PAPERS TO:**

EXAMINER:	Unknown
GROUP ART UNIT:	2681
SERIAL NO.:	10/692,196
FILED:	10/23/03
INVENTOR:	Greg R. Black

RECEIVED  
CENTRAL FAX CENTER  
FEB 23 2004

DOCKET NO.: CS23157RA

**OFFICIAL**

## UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Greg R. Black  
APPLICATION NO.: 10/692,196  
FILED: 10/23/03  
GROUP ART UNIT: 2681  
TITLE: Apparatus and Method for Mitigation of Session Unavailability

Commissioner for Patents  
Alexandria, VA 22313-1450

Attention: Customer Service Center  
Initial Patent Examination Division

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sir:

Responsive to the Notice to File Missing Parts of Application dated 1/26/04  
please find enclosed:


- ☒ 3 page Declaration Combined with Power of Attorney
- ☒ 1 page copy of Notice to File Missing Parts of Application
- ☐ sheets of formal drawings
- ☐ Petition for extension of time

The Commissioner is hereby authorized to charge all fees due to Account No. 50-2117. A fee transmittal is enclosed.

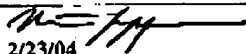

Respectfully submitted,

SEND CORRESPONDENCE TO:

Motorola, Inc.  
Law Department  
Customer Number: 20280

By:   
MATTHEW C. LOPPNOW  
Attorney of Record  
Reg. No.: 45,314  
Telephone: 847-523-2585  
Fax No.: 847-523-2350

PTO/SB/21 (08-00)

<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)		Application Number	10/692,196
		Filing Date	10/23/03
		First Named Inventor	Greg R. Black
		Group Art Unit	2681
		Examiner Name	Unknown
Total Number of Pages in this Submission	6	Attorney Docket Number	CS23157RA
<b>ENCLOSURES</b> (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-Related papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CDs	
		<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter with appropriate copies <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Declaration Combined with Power of Attorney <input type="checkbox"/> sheet(s) formal drawings <input checked="" type="checkbox"/> copy of Notice to File Missing Parts of Application	
Remarks			
<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>			
Firm or Individual	Matthew C. Loppnow	Registration No.	45,314
Signature			
Date	2/23/04		
<b>CERTIFICATE OF TRANSMISSION</b>			
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent Office at 703-872-9306 on this date:			
Typed or printed name	Jennifer Magness	Date	2/23/04
Signature			

CS23157RA

PTO/SB/17 (1-03)		Complete if Known	
<b>FEE TRANSMITTAL</b>  Patent fees are subject to annual revision		Application Number	10/692,196
		Filing Date	10/23/03
		First Named Inventor	Greg R. Black
		Examiner Name	Unknown
		Group Art Unit	2681
TOTAL AMOUNT OF PAYMENT	(\$ 130.00)	Attorney Docket No.	CS23157RA

METHOD OF PAYMENT		FEE CALCULATION (continued)																																																																																																																																																																																																																					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to: Deposit Account Number <u>50-2117</u> Deposit Account Name <u>Motorola, Inc.</u>  <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		<b>3. ADDITIONAL FEES</b> <table border="1"><thead><tr><th colspan="2">Large Entity</th><th colspan="2">Small Entity</th></tr><tr><th>Fee Code</th><th>Fee (\$)</th><th>Fee Code</th><th>Fee (\$)</th></tr></thead><tbody><tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td><td>170</td></tr><tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late Provisional filing</td><td></td></tr><tr><td>1053</td><td>110</td><td>1053</td><td>130</td><td>Non-English specification</td><td></td></tr><tr><td>1812</td><td>2520</td><td>1812</td><td>2520</td><td>For filing a request for ex parte Reexamination</td><td></td></tr><tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1840*</td><td>1805</td><td>1840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>950</td><td>2253</td><td>475</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>1480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>2010</td><td>2255</td><td>1005</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>130</td><td>2401</td><td>165</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1510</td><td>1451</td><td>1510</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - Unavailable</td><td></td></tr><tr><td>1453</td><td>1330</td><td>2453</td><td>665</td><td>Petition to revive - Unavailable</td><td></td></tr><tr><td>1501</td><td>1330</td><td>1501</td><td>665</td><td>Utility issue fee (for release)</td><td></td></tr><tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.170(i)</td><td></td></tr><tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of IDS</td><td></td></tr><tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment not properly (times number of pages)</td><td></td></tr><tr><td>1809</td><td>770</td><td>2609</td><td>385</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>900</td><td>1802</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="2">Other fee (specify)</td><td colspan="2"></td></tr><tr><td colspan="2">SUBTOTAL (1)</td><td colspan="2">(\$ 0.00)</td></tr><tr><td colspan="2">2. 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For Reissues, see above</td><td colspan="2">Complete (if applicable)</td></tr><tr><td colspan="2">SUBMITTED BY</td><td colspan="2">Registration No.</td></tr><tr><td colspan="2">Name (Print/Type) <u>Matthew C. Loppnow</u></td><td colspan="2"><u>45,314</u></td></tr><tr><td colspan="2">Signature <u>[Signature]</u></td><td colspan="2">Telephone <u>847-523-2585</u></td></tr><tr><td colspan="2"></td><td colspan="2">Mail Date <u>2/23/04</u></td></tr></tbody></table>		Large Entity		Small Entity		Fee Code	Fee (\$)	Fee Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath	170	1052	50	2052	25	Surcharge - late Provisional filing		1053	110	1053	130	Non-English specification		1812	2520	1812	2520	For filing a request for ex parte Reexamination		1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action		1805	1840*	1805	1840*	Requesting publication of SIR after Examiner action		1251	110	2251	55	Extension for reply within first month		1252	420	2252	210	Extension for reply within second month		1253	950	2253	475	Extension for reply within third month		1254	1480	2254	740	Extension for reply within fourth month		1255	2010	2255	1005	Extension for reply within fifth month		1401	130	2401	165	Notice of Appeal		1402	330	2402	165	Filing a brief in support of an appeal		1403	290	2403	145	Request for oral hearing		1451	1510	1451	1510	Petition to institute a public use proceeding		1452	110	2452	55	Petition to revive - Unavailable		1453	1330	2453	665	Petition to revive - Unavailable		1501	1330	1501	665	Utility issue fee (for release)		1502	480	2502	240	Design issue fee		1503	640	2503	320	Plant issue fee		1460	130	1460	130	Petitions to the Commissioner		1807	50	1807	50	Processing fee under 37 CFR 1.170(i)		1806	180	1806	180	Submission of IDS		8021	40	8021	40	Recording each patent assignment not properly (times number of pages)		1809	770	2609	385	Filing a submission after final rejection (37 CFR § 1.129(a))		1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))		1801	770	2801	385	Request for Continued Examination (RCE)		1802	900	1802	900	Request for expedited examination of a design application		Other fee (specify)				SUBTOTAL (1)		(\$ 0.00)		2. 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CS23157RA



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/692,196	10/23/2003	Greg R. Black	CS23157RA

20280  
MOTOROLA INC  
600 NORTH US HIGHWAY 45  
LIBERTYVILLE, IL 60048-5343

CONFIRMATION NO. 8429

## FORMALITIES LETTER



\*OC00000011761233\*

Date Mailed: 01/26/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

*John Ware*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE